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ATTN. Melur Ramakrishnaiah

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FROM Volel Emile, Esq.

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Phone Number 512 306 7969

SUBJECT Notice of Appeal (10/756,938)

Number of Pages 4

Date 7/12/2006

MESSAGE

This fax communication contains:

1. one copy of a Fax Transmittal Form; and
2. two copies of the Notice of Appeal, including fee.

Volel

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Appl. No. 10/756,938
Notice of Appeal dated 07/12/2006
Reply to Office Action of 04/12/2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: :
Blaine H. Dolph :
Serial No: 10/756,938 : Before the Examiner:
 : Melur Ramakrishnalah
Filed: 01/14/2004 : Group Art Unit: 2643
Title: APPARATUS, SYSTEM AND : Confirmation No.: 3291
METHOD OF DELIVERING A TEXT :
MESSAGE TO A LANDLINE :
TELEPHONE :

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants hereby appeal to the Board of Appeals from the Decision of the Primary Examiner of April 12, 2006 finally rejecting claims 1 – 4, 7, 8, 11 – 14, 17, 18, 21 – 24, 27 and 28.

The item(s) marked below are appropriate:

1. _____ A petition and fee for extension of term for reply to the final rejection is attached.
2. X Notice of Appeal fee
 X other than a small entity. Fee: \$500.00
3. X Payment
 X Please charge Deposit Account **09-0447** the sum of \$500.00. A duplicate of this notice is attached.

Respectfully Submitted

By: 

Volel Emile
Attorney for Applicants
Registration No. 39,969
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07/13/2006 EFLORES 00000005 090447 10756938
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Page 1 of 1

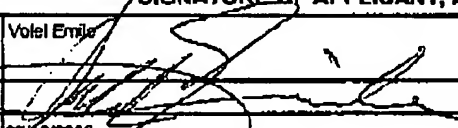
JUL 12 2006

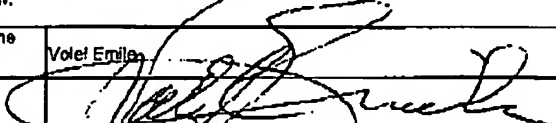
PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0851-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	107566308
	Filing Date	01/14/2004
	First Named Inventor	Blaine H. Dolph
	Art Unit	2543
	Examiner Name	Melvin Ramakrishnaiah
Total Number of Pages in This Submission:	Attorney Docket Number	AUS820030910US1

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Notice of Appeal		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Volel Emile	
Signature		
Date	07/12/2006	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	Volel Emile	
Signature		Date 07/12/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is in the (and by the USPTO in process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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